

REMARKS/ARGUMENTS

This amendment is in response to the Final Office Action of December 4, 2008. Claims 1-18 are pending in the present application. Claims 1-18 have been rejected. Claims 1, 5, 8, and 11 have been amended to further define the scope and novelty of the present invention, to address 35 U.S.C. §112 rejections, and to correct typographical and grammatical errors, in order to place the claims in condition for allowance. Support for the amendments to the claims is found in canceled claims 15-18. Applicants respectfully submit that no new matter has been presented. Claims 15-18 have been canceled. Accordingly, claims 1-14 remain pending. For the reasons set forth more fully below, Applicants respectfully submit that the claims as presented are allowable. Consequently, reconsideration, allowance, and passage to issue are respectfully requested.

Applicants would like to thank the Examiner for the after-final phone interview of February 26, 2009. The 35 U.S.C. §112 and §103 rejections and possible amendments for overcoming the rejections were discussed. We appreciate the courtesy and helpfulness of the Examiner in the interview. The claims have been amended in light of the points made by the Examiner in the interview.

Rejections Under 35 U.S.C. §112

Examiner Stated:

Claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement...

In response, independent claims 1, 5, 8, and 11 have been amended to address the above rejections. Specifically, claims 1, 5, 8, and 11 have been amended to delete that “the telephone bridges a three-way call between the calling party and the voice mailbox.”

Applicants respectfully submit that amended claims 1, 5, 8, and 11 now overcome the rejections. Dependent claims 2-4, 6-7, 9-10, and 12-14 depend from amended independent claims 1, 5, 8, and 11, respectively. Accordingly, Applicants respectfully submits that claims 2-4, 6-7, 9-10, and 12-14 overcome the objections for at least the same reasons as claims 1, 5, 8, and 11.

Rejections Under 35 U.S.C. §103

Examiner Stated:

Claims 1-18, as best understood in light of the 35 U.S.C. 112, first paragraph rejections under 35 U.S.C. 103(a) as being unpatentable over Foladare et al. (U.S. Patent 5,960,064) in view of Cannon et al. (U.S. Patent 6,639,972)...

Applicants respectfully traverse the Examiner's rejections. Applicants agree with the Examiner that Foladare does not teach a telephone that comprises an option key that enables a user to turn on or turn off voice mail screening. The Examiner has relied on Cannon to cure the defects of Foladare.

Applicants respectfully submit that Cannon does teach or suggest that "a number "1" is pressed to turn the voice mail screening on, and wherein a number "2" is pressed to turn the voice mail screening off," as recited in amended independent claims 1, 5, 8, and 11.

The Examiner referred to a DTMF key described in column 4, lines 1-25, of Cannon as disclosing this feature. However, this section of Cannon fails to specifically describe that the DTMF key is the number "1" key, or that the DTMF key is the number "2" key. This section of Cannon mentions a "FLASH hook key," but also fails specifically describe that the FLASH hook key is the number "1" key, or that the FLASH

hook key is the number “2” key. This section of Cannon mentions a “dedicated key,” which teaches away from the number “1” key and the number “2” key, because these keys are not dedicated to turning on and off voice mail screening. The number “1” key and number “2” key are also used for dialing, and, thus, they are not dedicated keys. Therefore, claims 1, 5, 8, and 11 are allowable over Foladare in view of Cannon for at least these reasons.

Therefore, Foladare in view of Cannon does not teach or suggest the combination of elements/steps as recited in amended independent claims 1, 5, 8, and 11, and these claims are thus allowable over Foladare in view of Cannon.

Dependent claims

Dependent claims 2-4, 6-7, 9-10, and 12-14 depend from amended independent claims 1, 5, 8, and 11, respectively. Accordingly, the above-articulated arguments related to amended claims 1, 5, 8, and 11 apply with equal force to claims 2-4, 6-7, 9-10, and 12-14, which are thus allowable over the cited reference for at least the same reasons as amended claims 1, 5, 8, and 11.

CONCLUSION

Applicants' attorney believes this application is in condition for allowance.
Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,

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